

Compliance Assessment Report CAR_NRW0045224

Permit being assessed: BB3097ZS.

For: PB Gelatins, **held by:** Veolia Energy & Utility Services UK PLC

At: P B Gelatins, Unit A6, Severn Road, Treforest Industrial Estate, Pontypridd, Rhondda Cynon Taf, CF37 5SQ.

Type of assessment: Site Inspection,

Reason: Routine.

On: 28/03/2024 between 11:00 and 12:00.

Parts of permit assessed: The site / Containment / MNA Progress.

NRW Lead Officer: Dale Padfield, accompanied by Brigid Armstead.

Report sent to: -, Contract Manager, on 18/09/2024.

1. Summary of our findings (full details in section 4)

| Part of permitted activity assessed (compliance criteria) | Assessment result | Permit condition |
|---|-------------------|------------------|
| IR3B - Installations - Emissions and monitoring - Emissions of substances not controlled by emission limits | Action only (X) | |
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Result types are explained in more detail in the 'Important Information' section below.

| Total non-compliances recorded | Total non-compliance score |
|--------------------------------|----------------------------|
| 0 | 0 |

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

| Criteria | Action needed | Complete by |
|----------|---|-------------------|
| IR3B | Assess the fuel storage tanks for their continued fitness for use. Tanks have been decommissioned - action considered complete - noted here for traceability. | Already completed |
| IR3B | Provide an update on the requests made by NRWS Geoscience team in the email dated 05/06/2024 - in relation | 11/10/2024 |

| Criteria | Action needed | Complete by |
|----------|---|-------------|
| | the programme of monitored natural attenuation. | |

Compliance criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Veolia Energy & Utility Services UK Plc

EPR/BB3097ZS

This compliance assessment form details the following:

- The site inspection conducted on the 28/03/2024.
- Follow-up information request and subsequent information provided by Veolia.
- Developments with regards to the Monitored Natural Attenuation (MNA).

Site inspection 28th March 2024

The primary observation made during the site inspection was in relation to the condition of the back-up fuel oil tanks and associated bunds. The tanks had visible patches of corrosion, were likely approaching the end of their 40 year expected life-span. Veolia were unsure when the tanks were last subject to a formal inspection by a competent engineer.

Several actions were issued, requesting information on the current planned preventive maintenance regime, along with copies of recent check sheets. Veolia provided the requested information. Further actions were issued requesting Veolia to have the tanks formally inspected, to assess their fitness for continued use.

Veolia confirmed on the 31st of May 2024 that they, along with their client, had made the decision to decommission the installation in its entirety. This was to be commenced on week 23, with the emptying of the remaining oil from tank no.1, followed by cleaning of the tanks of any residual fuel/sludge and disconnection from all services, removal of filling points and capping off of all pipework, until such time that the client decides on a way forward.

NRW have accepted this response. Should Veolia wish to put the tanks back into service, a full assessment of the fitness for use will need to be conducted, and NRW notified of the intention and findings of any subsequent assessment.

Monitored Natural Attenuation (MNA) in relation to the caustic spill in 2020.

An updated report was received (NS_0118_21_PB Leiner, Pontypridd_MNA_V2_270324) detailing the results and conclusions of the consultant undertaking the MNA work on behalf of Veolia.

NRW's geoscience reviewed the report and came to the following conclusion:

"We agree with the overall conclusions on risk to the main receptor (the river) based primarily on dilution estimates in the river; however, NSugg Limited have decided not to conduct the requested metals sampling as noted in our comment below (copied from page 4 of the March 2024 report). Because of the potential for the release of high concentrations of cationic metals as a result of Na+ from the NaOH spill displacing (flushing) these metals then we need to review evidence to confirm that this risk has been accounted for in the dilution calculations. The argument put forward at the top of page 16 (included below) is accepted, with the exception of the following statement: "Therefore, it is concluded that any potential impacts of the NaOH spill on the mobility of metals would not be discernible from historic, anthropogenic concentrations...." If the upgradient BH01 is still available then this can be used to make a simple comparison between upgradient and down-gradient concentrations of metals. We did not request a trend analysis and are aware of the likely other anthropogenic influences on shallow groundwater in this area, however, we require the requested information, including the revised groundwater-river water dilution calculations to enable us to 'close' the incident. If BH01 is no longer available then 1 or 2 temporary upgradient boreholes could be installed to obtain upgradient groundwater samples for Environmental Quality Standards (EQS) metals. The effect (or not) of the NaOH spill on EQS metal concentrations should be apparent from these samples when compared with data from immediately upgradient of the NaOH spill.

As an alternative, NSugg may wish to first sample the down-gradient BHs for EQS metals and use this information without upgradient data to estimate the (diluted) concentrations of EQS metals at the river; if these data support no significant risk from 'flushed' EQS metals, then obtaining upgradient samples, which may include installing additional borehole(s), would not be needed.

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2. Analyse the groundwater from the borehole with the highest concentrations of manganese and ammonium (WS202) for dissolved metals, especially those with low EQS, such as copper, and compare against the current EQS for surface waters, then redo the river-groundwater dilution calculations based on conservative (worst-case) approach. This is to help confirm that there is no risk to the receptor (receiving river) and support a request for cessation of the current investigation.

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NRW's comments on the October 2023 Conceptual Site Model report are detailed in Section 1.3 and included a recommendation to analyse groundwater quality at WS202 for dissolved metals with a low freshwater EQS, such as copper. However, no historic groundwater quality data are available for metals, thus preventing trend analysis. The six-month groundwater quality monitoring schedule was agreed with NRW and targets the primary contaminants of concern. Groundwater is present within the shallow made ground, with the area subject to a long industrial land use. Therefore, metals are likely to be present in groundwater, due to historic anthropogenic impacts as observed for manganese, with their mobility largely dependent on pH and redox conditions. The groundwater quality monitoring data (Appendix 2) confirm no significant change in the pH of groundwater following the spill event. Redox conditions are spatially and temporally variable as discussed above, but no trends associated with the spill event are evident. Therefore, it is concluded that any potential impacts of the NaOH spill on the mobility of metals would not be discernible from historic, anthropogenic concentrations and the focus of the monitoring and this report has remained on the primary contaminants of concern: manganese and ammoniacal-nitrogen."

An email was sent on the 05/06/2024 to Veolia, detailing the response and request from the NRW geoscience team.

Action 1 – Veolia – 19/09/2024: Please provide an update on the requests made in relation the MNA. Due 11/10/2024.

END.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

| Assessment result | Description |
|-------------------|---|
| Assessed (A) | Assessed or assessed in part, no evidence of non-compliance found |
| Action only (X) | Action only relating to the activity assessment |
| Ongoing (O) | Ongoing non-compliance, not scored |

| Non-compliance category | Description | Score |
|----------------------------|---|-------|
| C1 Major | Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property | 60 |
| C2 Significant | Potential to have a significant impact or effect on the environment, people and/or property | 31 |
| C3 Minor | Potential to have a minor or minimal impact or effect on the environment, people and/or property | 4 |
| C4 No environmental impact | Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property | 0.1 |

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

If your assessment result in Section 1 is suspended, what does this mean?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or

suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within twenty working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 to 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.